
The copyright tech lobby

(work in progress)

thetechlobby.ca

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intro

This paper examines “the copyright tech lobby” in Canada.

- Popiel (2018) “The Tech Lobby”: Amazon, Facebook, Google, Netflix, Twitter
- Here, the “copyright tech lobby”:
 - **“the copyright tech lobby”**: all companies whose major business is to operate an online digital platform that registered lobbying about intellectual property
 - Amazon, Google, D2L, eBay, TikTok, and Twitter

groups

Owners

Users

Intermediaries

Indigenous peoples

Black and other racialized people

People with disabilities

Women and gender diverse people

data colonialism and platform imperialism

widen lens to a global view

IP a major mechanism of information
feudalism (Drahos & Braithwaite, 2022) and
platform imperialism (Jin, 2013)



rq

1] Is the [copyright] tech lobby on the rise?

2] Is foreign (American) lobbying constant, growing, or decreasing in general and in copyright specifically?

- In which copyright interest groups (owner, user, mix, or intermediary) do American lobbying groups fit?

3] What are the effects of these trends?

- How does tech lobbying, and foreign lobbying more generally, affect the ratio of lobbying between user, owner, and intermediary groups in Canada?

4] Closer examination

- Which tech companies conducted lobbying activity? Who specifically lobbied for them; was it in-house or consultant lobbyists? Who did they lobby; did they lobby legislative or executive branches, and which offices specifically were lobbied? What did they lobby about; did they lobby about domestic or international copyright policy? What was the outcome?

method

lobbying registry data

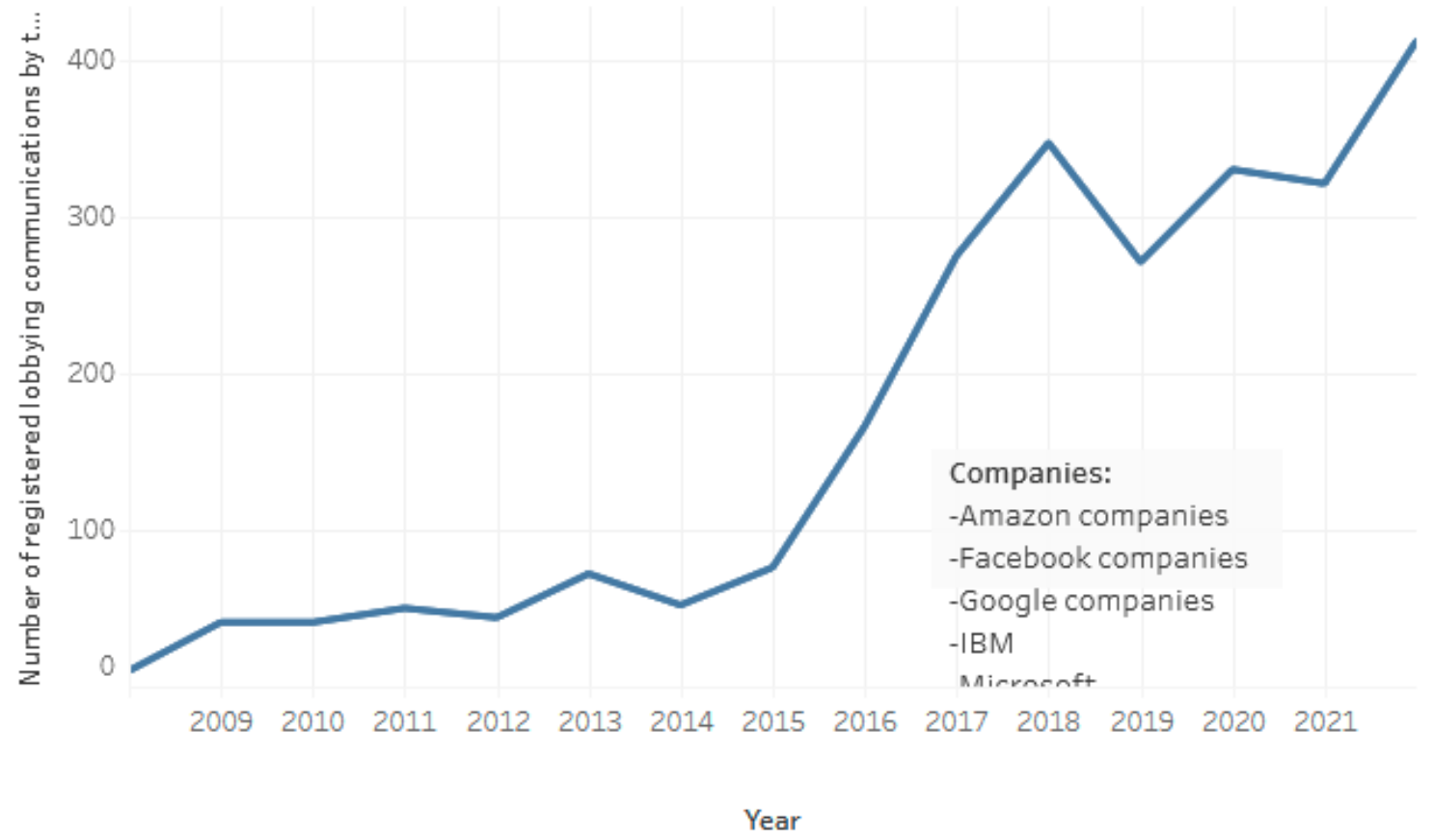
- subject 'intellectual property'
- id 'controlling country'
- classify as copyright/other IP/mix; filter out 'other IP'
- 'user,' 'owner,' 'mix of user and owner'

access to information requests

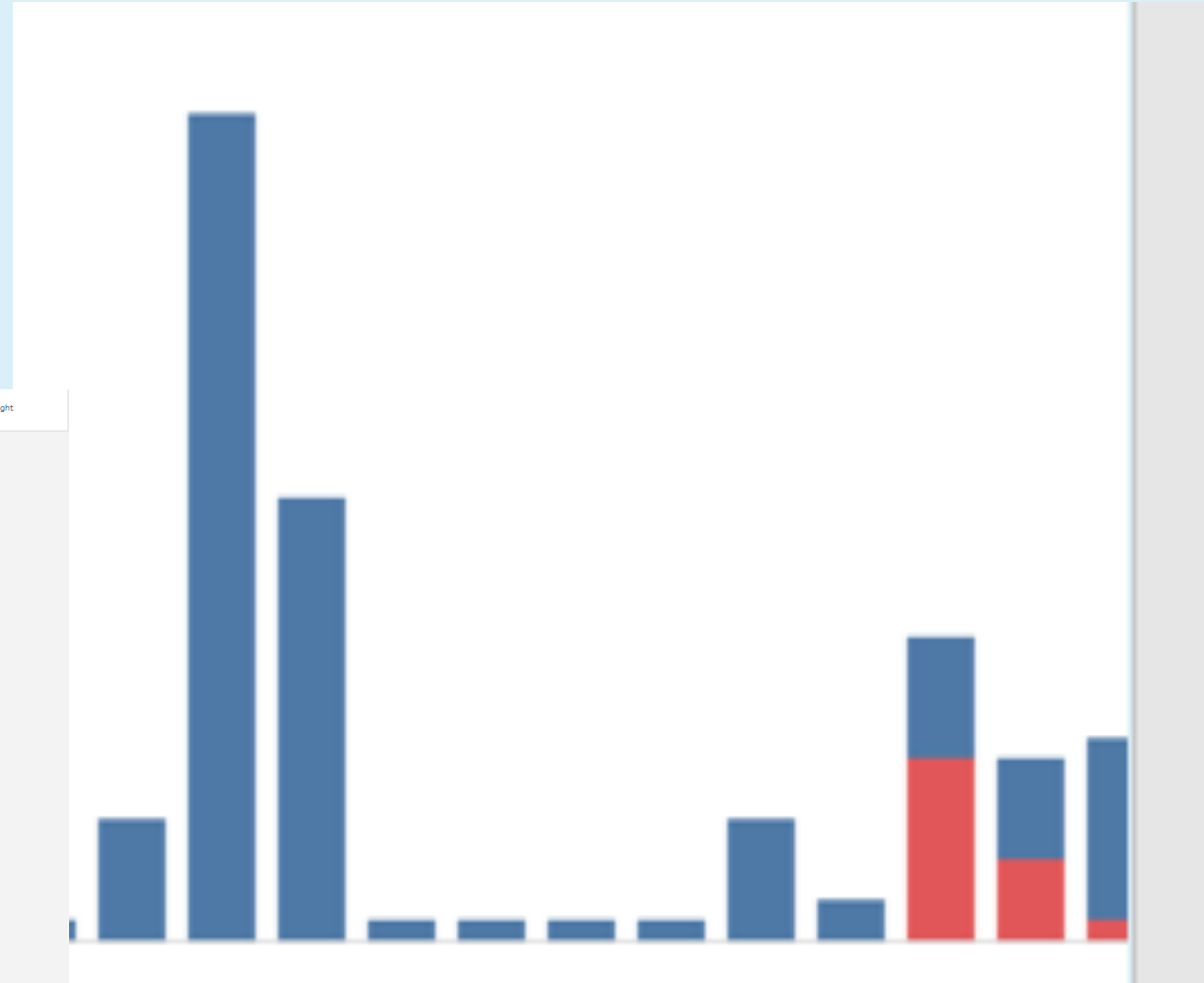
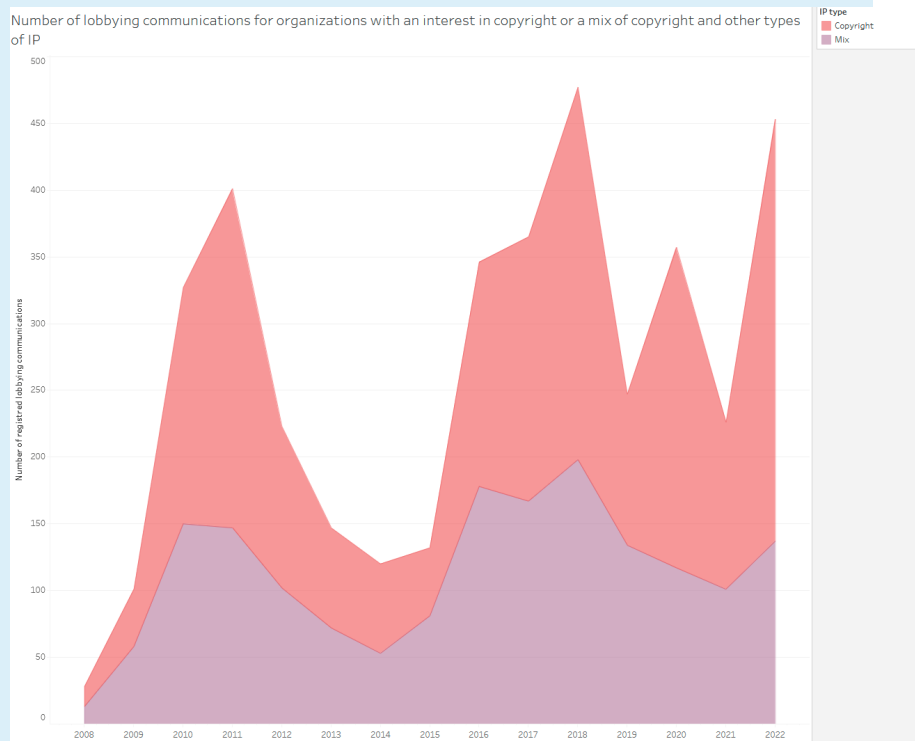
public consultation submissions

Is the tech lobby on the rise?

Number of registered lobbying communications by tech companies, Canadian federal government

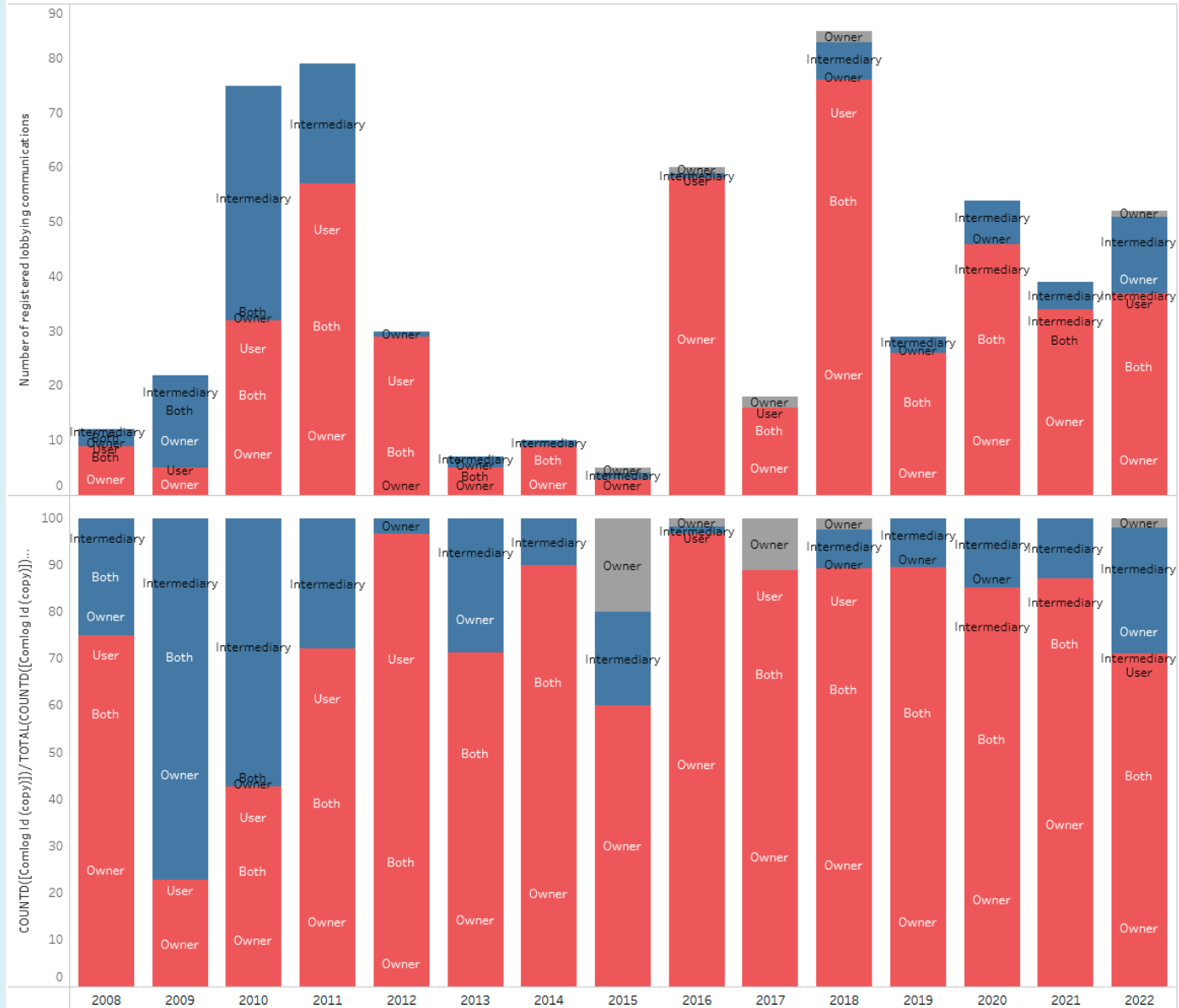


Is the tech lobby on the rise?



Is foreign copyright lobbying on the rise?

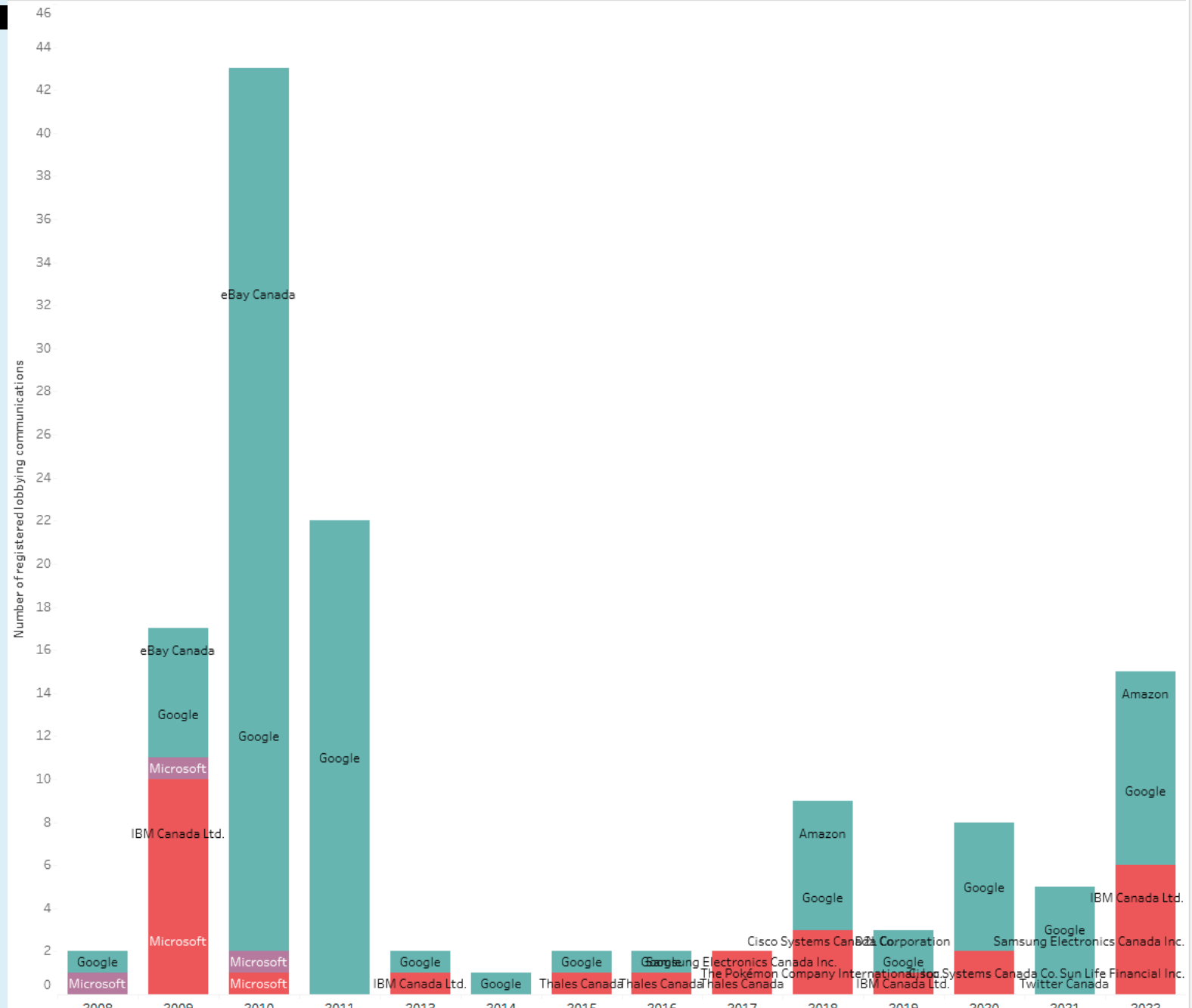
Number of registered lobbying communications on the subject 'intellectual property' where organization has an interest in copyright: Controlling organization country

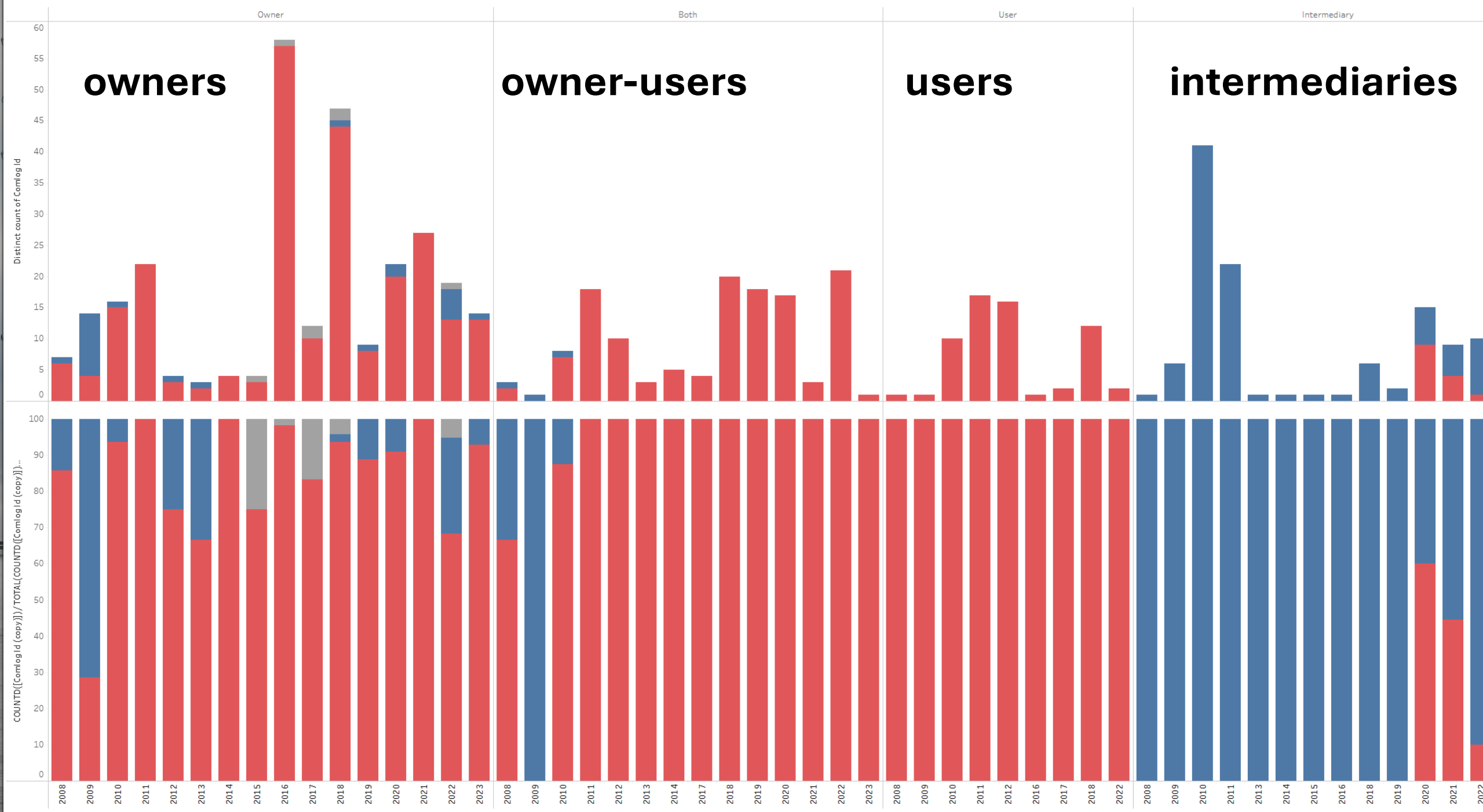


CONTROLLING COUNTRY ...
 Other
 USA
 Canada

Number of registered lobbying communications on the subject 'intellectual property' where organization has an interest in copyright: foreign-controlled companies

IP Interest
 Intermediary
 Both
 Owner

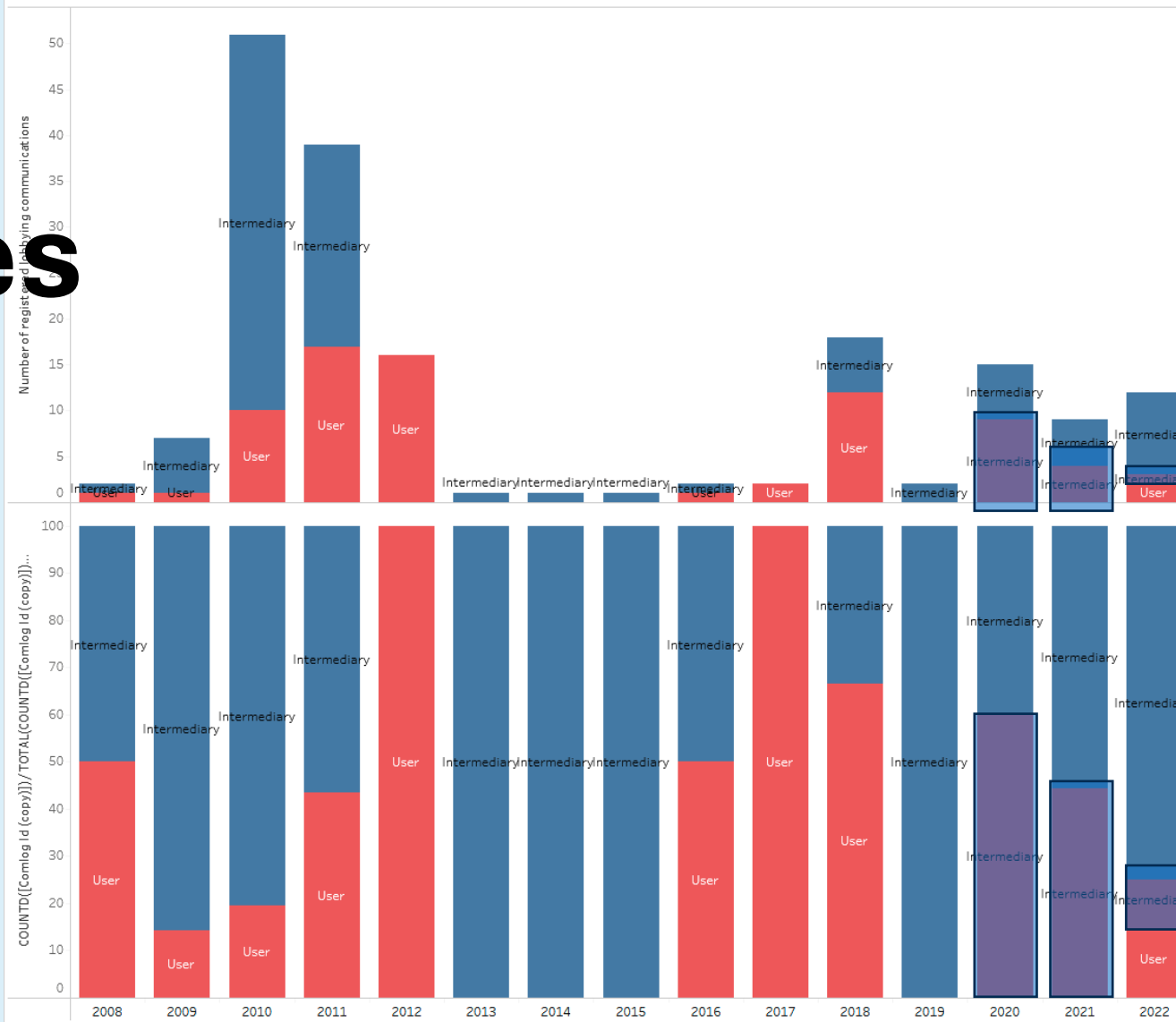




users and intermediaries (no owners)

Number of registered lobbying communications on the subject 'intellectual property' where organization has a user, intermediary or both-user-and-owner interest in copyright: Controlling organization country

CONTROLLING COUNTRY ...
 ■ USA
 ■ Canada



details

Google portrays itself as aligned with users and diversity. But...

Platforms have set up private enforcement systems that allow owners to monetize content; this benefits both owners and digital platform intermediaries who benefit from high-quality content on their sites (Ruse-Khan, 2021; Tusikov, 2016).

“users are deprived of any copyright in works they create and upload as soon as they include material matching with content that others claim” (Ruse-Khan, 8).

National and Indigenous sovereignty eroded

results so far

The copyright tech lobby is not on the rise in a quantitative sense.

Platform imperialism thesis focuses on role of platforms as owners of IP. This is true but platforms' role as intermediaries and users, supplanting other intermediaries and users, is just as important.

Are user groups being replaced by foreign-owned intermediaries?

- **Owners:** Foreign companies have bolstered Canadian companies
- **Users:** Canadian organizations have stood virtually alone and in some years been entirely drowned out by US-based digital platform intermediaries – increasingly?

Outcomes: wins on notice system; losses on term extension

next steps

detailed look at Google's lobbying strategy in Canada

- analyze discourse based on public consultation documents
- Note ways users & diversity discourse used
- Examine whether user interests are bolstered or obscured by the tech lobby

Interviews

- talk to groups who are not lobbying
- talk to user groups about these trends

limits

only as good as registry data

registrations under other subject terms

some haven't registered

mis-classification by coding team

thank you

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